

REMARKS

Claims 1 to 67 are pending in the instant application. The Examiner has required restriction of the pending claims to one of the following inventions under 35 U.S.C. §§ 121 and 372:

Group I: Claims 1 to 8, 12, 16, 19, 20, and 43-62, drawn to nucleic acid molecules, corresponding vectors, host cells, method of making such and a method of using such;

Group II: Claims 9 to 10, 13 to 14, and 26 to 42, drawn to a polypeptide;

Group III: Claims 11 and 15, drawn to an antibody;

Group IV: Claims 17 and 18, drawn to a method of detecting a polypeptide;

Group V: Claim 21, drawn to a method of detecting the presence of a biological activity of a MEKK1 polypeptide;

Group VI: Claims 22-24, drawn to a method of modulating MEKK1 activity;

Group VII: Claim 25, drawn to a method of identifying a genetic alteration;

Group VIII: Claims 63 and 64, drawn to a method of altering apoptosis;

Group IX: Claim 65, drawn to a method of generating an MEKK1 active fragment;

Group X: Claims 66 to 67, drawn to a method of identifying a compound which modulates the apoptotic activity of an MAKK1 active fragment.

Applicant hereby elects Group I (Claims 1 to 8, 12, 16, 19, 20, and 43-26) for prosecution in the instant application. Claims 9-11, 13-15, 17-18, 21-42 and 63-67 (directed to non-elected inventions) are cancelled. Applicant further elects the mouse

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MEKK1 homolog for search purposes. Claims 1-8, 12, 16, 19, 20, 43-46 and 52-55 read on the elected species.

It is Applicant's understanding that upon the allowance of a generic claim the Examiner will consider claims to additional species which are written independent form or otherwise include all the limitations of an allowed generic claim as provided by C.F.R. §1.141.

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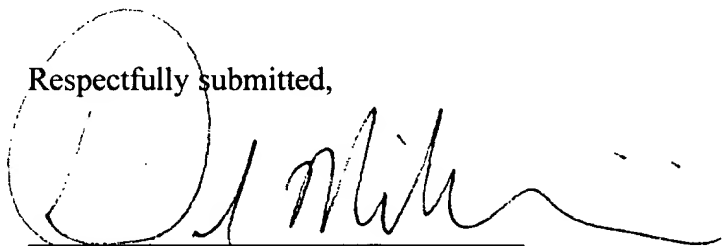
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CONCLUSION

If a telephone conversation with Applicant's attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 227-7400.

Respectfully submitted,



Debra J. Milasincic, Esq.
Registration No. 46,931
Attorney for Applicant

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

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